

IGNITE USA, LLC.

VS. CAMELBAK PRODUCTS, LLC.
Case No. 14-cv-09210

INITIAL PATENT SCHEDULING ORDER

IT IS HEREBY ORDERED that based on the Local Patent Rules:

- (1) The parties shall serve Initial Disclosures under Fed. R. Civ. P. 26(a) and LPR 2.1 by **January 23, 2015**;
- (2) Fact discovery shall commence on **January 23, 2015**;
- (3) The parties shall file their Report of the Parties' Planning Meeting by **January 29, 2015**;
- (4) The party claiming patent infringement must serve on all parties "Initial Infringement Contentions," pursuant to LPR 2.2, by **February 6, 2015**;
- (5) The party opposing a claim of patent infringement or asserting invalidity or unenforceability must serve on all parties "Initial Non-Infringement, Unenforceability and Invalidity Contentions," pursuant to LPR 2.3 and 2.4, by **February 23, 2015**;
- (6) The party claiming patent infringement must serve on all parties its "Initial Response to Invalidity Contentions," pursuant to LPR 2.5, by **March 12, 2015**;
- (7) The party claiming patent infringement must serve on all parties "Final Infringement Contentions," pursuant to LPR 3.1, by **July 3, 2015**;
- (8) The party asserting invalidity or unenforceability of a patent claim must serve on all parties "Final Unenforceability and Invalidity Contentions," pursuant to LPR 3.1 and 3.3, by **July 3, 2015**;
- (9) The party asserting patent infringement must serve on all parties "Final Contentions in Response to Final Unenforceability and Invalidity Contentions," pursuant to LPR 3.2, by **August 3, 2015**;
- (10) The party asserting non-infringement of a patent claim must serve on all parties "Final Non-Infringement Contentions," pursuant to LPR 3.2, by **August 3, 2015**;
- (11) The parties shall exchange proposed claim terms to be construed along with proposed constructions, pursuant to LPR 4.1(a), by **August 20, 2015**;

(12) The parties shall meet and confer, pursuant to LPR 4.1(b), and agree upon no more than ten (10) terms or phrases to submit for construction by the Court, by **August 27, 2015**;

(13) The parties shall complete fact discovery by **September 17, 2015**, and all interrogatories, depositions, requests for admissions, and requests for production shall be served within sufficient time to allow responses to be completed prior to the close of discovery. Pursuant to LPR 1.3, the parties shall have an additional forty-two (42) days in which to take fact discovery upon entry of the Court's claim construction ruling;

(14) The party opposing infringement shall file an Opening Claim Construction Brief, pursuant to LPR 4.2(a), by **September 24, 2015**;

(15) The parties shall file a Joint Appendix containing the patent(s) in dispute and the prosecution history for each patent, pursuant to LPR 4.2(b), by **September 24, 2015**;

(16) The party claiming infringement shall file a Responsive Claim Construction Brief, pursuant LPR 4.2(c), by **October 22, 2015**;

(17) The party opposing infringement shall file a Reply Claim Construction Brief, pursuant to LPR 4.2(d), by **November 5, 2015**, unless this date is otherwise extended under the provisions of LPR 4.1(c);

(18) The parties shall file (1) a joint claim construction chart, pursuant to LPR 4.2(f), and (2) a joint status report, pursuant to LPR 4.3, by **November 12, 2014**;

(19) The Court will conduct a hearing on the issue of claim construction at the Court's convenience pursuant to LPR 4.3;

(20) Each party, pursuant to LPR 5.1(b), shall make its initial expert witness disclosures required by Fed. R. Civ. P. 26 on issues for which it bears the burden of proof within twenty-one (21) days after the close of discovery after the claim construction ruling;

(21) Each party, pursuant to LPR 5.1(c), shall make its rebuttal expert witness disclosures required by Fed. R. Civ. P. 26 on issues for which it bears the burden of proof within thirty-five (35) days after the date for initial expert reports;

(22) The parties shall complete depositions of experts within thirty-five (35) days after exchange of expert rebuttal disclosures, pursuant to LPR 5.2; and

(23) The parties shall file all dispositive motions within twenty-eight (28) days after the scheduled date for the end of expert discovery, pursuant to LPR 6.1.

IT IS SO ORDERED, this 5th day of February, 2015.

A handwritten signature in black ink, appearing to read "John J. Tharp, Jr.", written over a horizontal line.

THE HONORABLE JOHN J. THARP, JR.
UNITED STATES DISTRICT JUDGE